

REMARKS

This application has been carefully reviewed in light of the Office Action dated November 2, 2005. Claims 92 to 115 are pending in the application, with Claims 16 to 21 and 74 to 76 having been canceled, and Claims 98 to 115 having been added. Claims 92 to 97 are the independent claims herein. Reconsideration and further examination are respectfully requested.

Claims 16, 19 and 21 have been rejected under 35 U.S.C. § 112, second paragraph. Without conceding the correctness of the rejections, they are nonetheless believed to be obviated by the cancellation of those claims.

In the meantime, Claims 16 to 21, 74 to 76 and 92 to 97 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 5,550,637 (Murakami). Inasmuch as Claims 16 to 21 and 74 to 76 have been cancelled, the rejections of those claims are believed to be obviated. However, the rejections of Claims 92 to 97 are respectfully traversed and the Examiner is requested to reconsider and withdraw the rejections in light of the following comments.

The present invention concerns determining a printer determining whether or not received information can be processed. According to the invention, a determination is made whether received information is for a print function, and if so, a second determination is made whether the printer is in a sleep state. If the printer is not in a sleep state, a determination is made whether the printer can print singly without starting an initial operation. If the printer is in the sleep state, the initial operation is started and a determination is made whether the printer can print singly. If the printer can print singly, printing is executed, but if the printer cannot print singly or the received information is not for the print function, the received information is transmitted to a host device.

With specific reference to the claims, Claim 92 is directed to a printer comprising a first determination unit adapted to determine whether received information is information for a print function, a second determination unit adapted to, when said first determination unit determines that the received information is the information for the print function, determine whether the printer is in a sleep state, a third determination unit adapted to, when said second determination unit determines that the printer is not in the sleep state, determine whether the printer can print singly without starting an initial operation, and when said second determination unit determines that the printer is in the sleep state, start the initial operation and determine whether the printer can print singly, and a processing unit adapted to, when said third determination unit determines that the printer can print singly, execute printing in accordance with the received information, when said third determination unit determines that the printer cannot print singly, transmit the received information to a host device, and when said first determination unit determines that the received information is not the information for the print function, transmit the received information to the host device.

Claim 93 substantially corresponds to Claim 92, but includes the feature of the information being received from a card device.

Claims 94 and 95 are method claims that substantially correspond to Claims 92 and 93, respectively, and Claims 96 and 97 are computer medium claims that substantially correspond to Claims 92 and 93, respectively.

The applied art is not seen to disclose or to suggest the features of Claim 92 to 97, and in particular, is not seen to disclose or to suggest at least the feature of a printer, when it is determined that received information is for a print function and that the printer is not in the sleep state, determining whether the printer can print singly without starting an

initial operation, and when it is determined that the printer is in the sleep state, starting the initial operation and determining whether the printer can print singly, and then, when it is determined that the printer can print singly, executing printing in accordance with the received information, but when it is determined that the printer cannot print singly, transmitting the received information to a host device, and when it is determined that the received information is not the information for the print function, transmitting the received information to the host device.

Murakami is merely seen to disclose a power saving printer. The printer receives data sent from a computer via an interface and determines that the received data is a control code or print data. When the received data is determined as the print data, the printer determines whether or not the printer is in a power saving state. When the printer is in the power saving state, the printer releases the power saving state and executes printing of the print data. When the printer is not in the power saving state, the printer executes printing of the print data without releasing the power saving state. Thus, while Murakami may perform some of the same functions as the invention, Murakami fails to perform the process of transmitting the received data to a host device if it is determined that the printer cannot print singly, or when it is determined that the received data is not for a print function. Accordingly, the present invention of Claims 92 to 97 is not believed to be anticipated by Murakami.

In view of the foregoing deficiencies of the applied art, all of Claims 92 to 115 are believed to be allowable.

As a formal matter, Applicants wish to point out a typographical error one of the documents listed in the Form PTO-1449 for the June 28, 2005 Information Disclosure Statement, which form has been initialed by the Examiner indicating

consideration of that reference. Specifically, the reference Japan 2001-325714 listed in the PTO-1449 should have been listed as 2001-325114 as correctly cited on the cover page of the IDS in accordance with the copy of the document submitted for consideration. Thus, to address this typographical error, Applicants are submitting herewith a Form PTO-1449 listing the correct reference number for that document. The Examiner is requested to initial the accompanying Form PTO-1449, and to cross out the document listed as Japan 2001-325714 on the previously submitted form.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



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